

REMARKS

This is in full and timely response to the non-final Official Action of August 21, 2008. Reexamination in light of the following remarks is respectfully requested. No new matter has been added.

I. PRIORITY DOCUMENTS

It is noted with appreciation that the Office Action has acknowledged receipt of the claim for priority and the certified document supporting that claim.

II. INFORMATION DISCLOSURE STATEMENT

Applicant thanks the Examiner for providing an initialed copy of form PTO/SB/08a/b, which was submitted by the Applicant on August 22, 2006.

III. CLAIM OBJECTION

Claims 1, 3, 7, and 9 are objected to because of informalities. These claims have been canceled by the foregoing amendment. Therefore, the objection is now moot. Withdrawal of the objection is respectfully requested.

IV. CLAIM REJECTION – 35 USC §103

1. CLAIMS 1 AND 3

Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takimoto (US 2003/0067283) in view of Weinberg (US 6,262,558).

These claims have been canceled by the foregoing amendment. Therefore, the objection is now moot. Withdrawal of the objection is respectfully requested.

2. CLAIMS 5, 7, 9 AND 11

Claims 5, 7, 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takimoto (US 2003/0067283) and Weinberg (US 6,262,558), as applied to claims 1 and 3 above, and further in view of Narita (US 5,465,039).

These claims have been canceled by the foregoing amendment. Therefore, the objection is now moot. Withdrawal of the objection is respectfully requested.

V. ALLOWABLE SUBJECT MATTER

Appreciation is expressed for the indication that claims 2, 4, 6, 8, 10 and 12 contain allowable subject matter. Accordingly, these claims have been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Thus, allowance of these claims is respectfully requested. Please note that overlapped limitations have been removed in the amended claims. Applicant believes that no new matter has been added.

VI. CONCLUSION

In view of the following arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action. However, Applicant reserves the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicant expressly does not acquiesce to the taking of Official Notice, and respectfully requests that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Application No. 10/590,244
Amendment dated November 21, 2008
Reply to Office Action of September 19, 2008

Docket No.: SEM-0012

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SEM-0012 from which the undersigned is authorized to draw.

Dated: November 21, 2008

Respectfully submitted,

By /Toshikatsu Imaizumi/
Toshikatsu Imaizumi, Reg. 61,648
RADER, FISHMAN & GRAUER PLLC
Correspondence Customer Number: 23353
Attorney for Applicant